

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

VIVIAN BERT, et al.,)	Case No. 1:02-cv-467
)	
Plaintiffs,)	Judge Beckwith
)	
v.)	Magistrate Judge Hogan
)	
AK STEEL CORPORATION,)	
)	
Defendant.)	

JOINT MOTION TO EXTEND DISCOVERY AND EXPERT DEADLINES

Plaintiffs and defendant jointly move this Court for an order extending the discovery and expert report deadlines in this case. As grounds for this motion, the parties state as follows:

1. Pursuant to this Court's scheduling order, discovery on class certification issues and expert reports concerning such issues are due to be completed on the following dates:

- Discovery Deadline on Class Issues - **March 1, 2004**
- Plaintiffs' experts reports - **January 5, 2004**
- Defendant's experts reports - **March 5, 2004**
- Plaintiffs' expert report replies - **May 5, 2004**

Plaintiffs' motion for class certification is due to be filed on **December 5, 2004**.

2. Last year, the parties began discussing the possible settlement of this case. These discussions have continued into this year, and a face-to-face negotiation session is scheduled for late February. The parties have engaged in some discovery, including timely requests for production of documents by the plaintiffs to which the defendant have submitted a response, but have agreed not

to expend the additional resources required for discovery until the outcome of the settlement negotiations is known. The parties expect to know whether the case will settle by the end of April, and, accordingly, request that the Court extend the discovery and expert report deadlines to allow the parties to complete these negotiations.

3. The parties request that the Court extend these deadlines as follows:

- Discovery Deadline on Class Issues/Plaintiffs' Reply in Support of Motion to Alter Judgment/Amend Complaint - **June 1, 2004**
- Plaintiffs' experts reports - **July 1, 2004**
- Defendant's experts reports - **August 15, 2004**
- Plaintiffs' expert report replies - **October 1, 2004**
- Discovery Deadline with respect to experts on class issues - **November 1, 2004**

In addition, the parties request that defendant be given until **May 15, 2004** to respond to plaintiffs' Motion to Alter or Amend Judgment and to Amend the Complaint, and that plaintiffs be given until **June 1, 2004** to submit their reply on these motions.

4. The requested extensions of time will not disturb the deadline for plaintiffs' motion for class certification, which would remain due on December 5, 2004.

Respectfully submitted this the 24th day of February, 2004.

s/ Paul H. Tobias

by Gregory Parker Rogers per e-mail authorization
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